

REMARKS

A telephone discussion between Examiner Reagan and Dennis Smid (one of the applicants' undersigned attorneys) was held on January 22, 2007. The applicants and Mr. Smid wish to thank the Examiner for his time and consideration for such discussion.

Claims 2-4, 7-11, and 14-16, and amended claims 1, 5, 6, 12, 13, and 17 are in this application.

Claims 1-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Stefik et al. (US 5,629,980 A), in view of "the Applicant's own admissions."

Independent claim 1 has been amended herein in the manner discussed during the January 22 discussion. That is, claim 1 now recites in part the following:

"A copyrighted work managing method for managing copyrighted work data desired to be transmitted from a personal computer coupled to a first communication network to a server coupled to a second communication network, said method comprising the steps of:

arranging a gateway between the first communication network and the second communication network such that data transmitted between the first communication network and the second communication network is supplied to the gateway;

detecting at the gateway whether copyrighted work data in communication data has been transmitted from the personal computer which is desired to be supplied to the server;"
(emphasis added)

As discussed during the January 22 discussion, it is respectfully submitted that Stefik as applied by the Examiner does not appear to disclose the arranging step and the detecting step of claim 1. More specifically, such arranging and detecting steps of claim 1 utilize a gateway. Stefik, as applied by the Examiner, does not appear to disclose the use of a gateway as specifically recited in the arranging and detecting steps of claim 1.

The Examiner appears to rely on the Description of the Related Art section of the present application (i.e., "Applicant's own admissions") for disclosing "uploading data from a client to a server." (See, for example, section 4, second paragraph of the present Office Action.) The Examiner does not appear to rely on "Applicant's own admissions" for disclosing the use of a gateway as specifically recited in the arranging and detecting steps of claim 1.

Accordingly, it is respectfully submitted that amended claim 1 is distinguishable from the applied combination of Stefik and "the Applicant's own admissions" for at least the reasons discussed above.

For reasons similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claims 5, 6, 12, 13, and 17 are also distinguishable from the applied combination of Stefik and "the Applicant's own admissions."

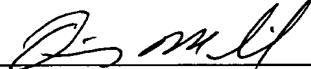
Claims 2-4, 7-11, and 14-16 are dependent from one of the amended independent claims. Accordingly, it is also respectfully submitted that dependent claims 2-4, 7-11, and 14-16 are distinguishable from the applied combination of Stefik and "the Applicant's own admissions" for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. As also discussed during the January 22 discussion, if, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections and/or rejections which the Examiner might have.

If there are any charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: January 23, 2007

Respectfully submitted,

By 

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